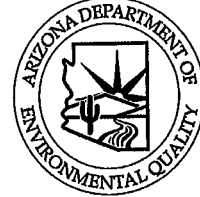


Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

January 22, 2016

Freeport-McMoRan
Attn: Deborah Chismar
6200 West Duval Mine Road
PO Box 527
Green Valley, Arizona 85622-0527

Re: Notice of Contingency Plan

Dear Ms. Chismar:

The Arizona Department of Environmental Quality (ADEQ) received Freeport- McMoran Sierrita Operations (FMI) Notice of Contingency Plan on November 9, 2015. You submitted this document in accordance with Mitigation Order on Consent Docket No. P-50-06. ADEQ has reviewed the plan and finds that it is adequate for the short-term (less than 5 years). If contingency actions will exceed this timeframe, ADEQ and FMI will review any new information and changing conditions, and make any necessary changes to the plan to ensure that objectives of the mitigation order met and it is protective of drinking water supplies.

ADEQ recommends the following changes to the Notice of Contingency Plan:

1. The Contingency Plan indicates that all of the IW wells except for IW-29 and three of the six FSS wells FSS-2, FSS-3 and FSS-4 will cease pumping for the duration of the Contingency Plan. ADEQ has concerns on the potential for migration of sulfate in the southeast portion of the sulfate plume. ADEQ requests that Sierrita include provisions in the Contingency Plan to address potential migration of the sulfate plume.
2. Figure 2 – Sulfate Concentrations in Groundwater, Second Quarter 2015 – FSS well FSS-1 is missing from the figure. The figure should be revised with the location of FSS-1.
3. Figure 3 – Mitigation Action Extraction Wells and Pumping Facilities – ADEQ requests that the Mitigation Action Extraction Wells that will be operational be highlighted in this figure.
4. Figure 3 – Mitigation Action Extraction Wells and Pumping Facilities – ADEQ requests the location of the drinking water supply wells and the sentinel wells be placed on this figure.

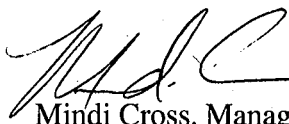
How to Submit

Please submit all documents sent in response to this letter using one of the following methods:

- Hard copy to ADEQ, Attention: Mindi Cross, 1110 W. Washington Street, Phoenix, AZ 85007
- E-mail to mc4@azdeq.gov

Thank you for your efforts to comply with Arizona's environmental requirements. Should you have any comments or questions regarding this matter, please do not hesitate to contact me at (602) 771- 2209 or mc4@azdeq.gov.

Sincerely,



Mindi Cross, Manager
Water Quality Compliance Section
Arizona Department of Environmental Quality

EA 2016-059